

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-46 and 48 are pending in the present application. Claims 8-11, 14-17, 20-23, 26-29, 32-35, and 38-41 are amended and Claim 47 is canceled without prejudice by the present amendment.

In the outstanding Office Action, Claim 47 was rejected under 35 U.S.C. § 102(b) as anticipated by JP 11-65208 to Sato et al. (herein "Sato"). Claims 8, 12-14, 18-20, 24-26, 30-32, 36-38, 42, and 43 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sato in view of U. S. Patent No. 4,903,067 to Murayama et al. (herein "Murayama"). Claims 9-11, 15-17, 21-23, 27-29, 33-35, and 39-41 were objected to as dependent upon rejected base claims, but were noted as allowable if rewritten in independent form to include all of the limitations of their base claims and any intervening claims. Claims 1-7, 44-46, and 48 are allowed over the prior art of record.

Applicants thank the Examiner for the indication of allowable subject matter. Accordingly, Claims 9-11, 15-17, 21-23, 27-29, 33-35, and 39-41 are amended to be in independent form to include all limitations of their base claims. Thus, Claims 9-11, 15-17, 21-23, 27-29, 33-35, and 39-41 are believed to be allowable.

Regarding the rejection of Claim 47 under 35 U. S. C. § 102(b) as anticipated by Sato, Claim 47 is canceled, without prejudice, thereby rendering that rejection moot.

Claims 8, 12-14, 18-20, 24-26, 30-32, 36-38, 42, and 43 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sato in view of Murayama. That rejection is respectfully traversed.

Claims 8, 14, 20, 26, 32, and 38 are amended by the present response to clarify a feature recited therein. Specifically, those claims now recite "each of said predetermined

number of mark sets being formed within an area of one tenth of a circumferential length of said transferring member.” That subject matter is supported by the original specification, for example at page 17, lines 13-14. Such a feature is believed to distinguish over Sato as Sato does not appear to disclose or suggest utilizing such an area in which the mark sets are formed. Further, applicants submit that Murayama also does not teach or suggest that feature. Thus, amended independent Claims 8, 14, 20, 26, 32, and 38, and the claims dependent therefrom, are believed to patentably distinguish over the combination of Sato and Murayama.

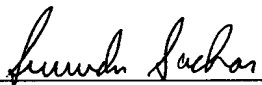
As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)
GJM/SNS/dnf



Gregory J. Maier
Registration No. 25,599
Surinder Sachar
Registration No. 34,423
Attorneys of Record